



WASHINGTON STATE
Board of Health
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DATE: March 14, 2012

TO: Washington State Board of Health Members

FROM: Keith Grellner, SBOH Environmental Health Committee Chair

SUBJECT: BRIEFING – PROPOSAL TO REVISE CHAPTER 246-215 WAC,
FOOD SERVICE

Background and Summary:

The State Board of Health has responsibility under RCW 43.20.050(2)(d) to adopt rules to protect public health regarding food service establishments. The Board's rules are chapter 246-215 WAC, Food Service. Since 2003, RCW 43.20.145 has directed the Board to use the latest version of the U.S. Food and Drug Administration's (FDA) Food Code as guidance when developing food service rules. The last major revision to these rules was adopted by the Board in September 2004 and references the 2001 FDA Food Code.

In November 2009, the Board asked the Department of Health to develop a proposal to update chapter 246-215 WAC. Department staff assembled an advisory committee of stakeholders, called the Core Workgroup, and began developing revisions to the rule chapter based on the 2009 FDA Food Code. The Core Workgroup met 11 times in 2010 and 2011. The Department has incorporated most of the Core Workgroup's recommendations into its recommendations to the Board for updating the rules, but has varied in a few instances. These variations will be highlighted in the briefing today.

Governor Gregoire's Executive Order 10-06, issued in November 2010, established a limited moratorium on rule making. However, members of the food service industry asked for this rulemaking to continue to completion so as not to lose momentum toward our state's food service rules becoming more consistent with the latest version of the FDA Food Code. The Board asked the Department to continue this rulemaking based on the request, which fits one of the criteria approved by the Governor's office for exemption from the rules moratorium.

Nancy Napolilli, Director of the Office of Environmental Health, Safety and Toxicology, is here today to summarize the Department's recommendations for the rule revision and to highlight the main differences from the Core Workgroup's recommendations. She will answer questions and would appreciate any comments the Board might have about the Department's recommendations. This would help guide the Department when finalizing the rule revision proposal and supporting documents for the public hearing expected at the Board's October 2012 meeting. Please see materials behind Tab 05 of your packets for Ms. Napolilli's presentation, anticipated timeline, and listing of members of the Core Workgroup.

Recommended Board Action:

None.

Staff Contact:

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